

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RONALD DEAN MCCOY,)	8:06CV566
)	
Plaintiffs,)	
v.)	STIPULATED
)	SCHEDULING ORDER
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Comes now the plaintiff by and through his undersigned counsel, and comes now the defendant by and through its undersigned counsel, and pursuant to this Court's order dated January 3, 2007, (filing no. 13), hereby set forth the following as their agreed scheduling dates for progression of the above case, consistent with the related case of McCoy v. Kensey Nash Corporation, and St. Jude Medical, Inc., 4:05cv3297.

1. The discovery deadline in this case shall expire not later than April 1, 2007.
2. Plaintiff shall provide complete expert witness disclosures and substantive expert reports, in full compliance with Fed. R. Civ. P. 26(a)(2), to Defendant and its counsel not later than January 31, 2007. Plaintiff shall also provide his initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) not later than January 31, 2007. Defendant shall thereafter provide its initial disclosures not later than February 9, 2007. Plaintiff's counsel acknowledges that the Defendant has already provided to Plaintiff's counsel a complete copy of Plaintiff's VA medical records, and a copy of relevant VA purchase order records requested by Plaintiff.
3. Upon receipt of the Plaintiff's substantive expert witness disclosures and reports as set forth in the Paragraph 2, above, the Defendant shall have forty-five (45) days thereafter to designate any experts and provide substantive expert witness disclosures and reports.

4. All expert depositions, and depositions of treating physicians shall be scheduled so as to be completed by the expiration of the final discovery deadline as set forth in Paragraph 1, above.

5. All non-dispositive motions concerning any unresolved discovery issues or disputes shall be served and filed not later than April 1, 2007.

6. Following completion of discovery as set forth above, the Defendant shall have forty-five (45) days, but in any event no later than May 15, 2007, in which to serve and file any dispositive motions.

RONALD DEAN MCCOY, Plaintiff

UNITED STATES OF AMERICA,
Defendant

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IT IS SO ORDERED.

Dated: February 14, 2007.

BY THE COURT

s/ David L. Piester
David L. Piester
United States Magistrate Judge

CERTIFICATE OF SERVICE

I, Paul D. Boeshart, hereby certify that on January 25, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Maria Vera, Esquire

and hereby certify that I have mailed by United States Postal Service, postage prepaid, the document to the following non CM/ECF participants:

None.

s/ Paul D. Boeshart
PAUL D. BOESHART
Assistant U.S. Attorney